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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,886	11/04/2003	Ronald J. DeHaas	8956-91854	2885
42798 7590 05/11/2010 FITCH, EVEN, TABIN & FLANNERY P. O. BOX 18415 WASHINGTON, DC 20036			EXAMINER NGUYEN, DUSTIN	
			ART UNIT 2454	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/605,886

Applicant(s)

DEHAAS ET AL.

Examiner

DUSTIN NGUYEN

Art Unit

2454

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 April 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 and 20-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 and 20-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/GS/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-18, 20-42 are presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6, 9, 41 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Onoe et al. [US Patent No 5,951,642], in view of Spaid et. al. [US Patent No 2004/0139192].

4. As per claim 1, Onoe discloses the invention as claimed including a system for monitoring Internet use of a selected user [i.e. system for collecting detailed internet information on the basis of the condition of activities of information viewers viewing information of service providers] [Abstract], comprising:

a remote server [i.e. server of an information collector] [3, Figure 1; and col 6, lines 7-20];

a computer communicatively connected to said remote server [i.e. information viewer client] [2, Figure 2; and col 6, lines 1-20] having a monitoring program voluntarily installed thereon by the computer user [i.e. information collection client program has been installed and

activated for an information viewer to view an information provider] [201, Figure 2; col 1, lines 15-21; and col 6, lines 42-57], said monitoring program configured to monitor Internet access activity of the computer user and record said Internet access activity within said remote server [i.e. program collects the information of the information viewer and transmits the viewing information to the data base of the information collector's server 3] [203-205, Figure 2; Figure 8; col 7, lines 6-19; and col 10, lines 53-59]; and

wherein said Internet access activity includes access to at least one Internet protocol from a group consisting of network news transfer protocols, file sharing programs, file transfer protocols, chat room access, peer to peer chats, and electronic mail activity [i.e. WWW site, electronic mail, mailing list, netnews] [Figure 9; col 1, lines 18-21; and col 3, lines 1-14 and lines 57-67]

Onoe does not specifically disclose wherein said remote server includes a processing program configured to assign a score to each said recorded internet access activity.

Spaid discloses wherein said remote server includes a processing program configured to assign a score to each said recorded internet access activity [i.e. a composite score can be computed for the Web site viewing session] [Abstract; and paragraphs 0011, 0012 and 0029].

It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Onoe and Spaid because the teaching of scored and ranking web site would enable to provide a system which Web site visit quality can be established [Spaid, paragraph 0035].

5. As per claim 2, Onoc discloses wherein said processing program is configured to analyze said recorded Internet access activity and generate a report of said Internet access activity [i.e. analyze] [Figure 7; and col 8, lines 67-col 9, lines 9].
6. As per claim 3, it is rejected for similar reasons as stated above in claim 1. Furthermore, Onoc discloses wherein said report includes a list of said recorded Internet access activity [Figures 4a, 4b, 10a, 10b; and col 7, lines 55-62].
7. As per claim 4, Onoc discloses wherein said report is accessible by a third party recipient [i.e. information processing agent statistically processes the collected information and statistically processed data is put into chart form and provided to the information provider] [208-210, Figure 2; and col 8, lines 1-65].
8. As per claim 5, Spaid discloses wherein said report displays said list of said recorded Internet access activity sorted by said score [i.e. ranking] [Abstract; and paragraphs 0011 and 0012].
9. As per claim 6, Onoc discloses wherein said report displays said list of said recorded Internet access activity sorted chronologically [Figures 4a, 4b, 10a, 10b; and col 7, lines 55-62].

10. As per claim 9, Onoe discloses including a first database located within said remote server, and wherein said monitored Internet access activity is stored on said first database [i.e. program collects the information of the information viewer and transmits the viewing information to the data base of the information collector's server 3] [203-205, Figure 2; Figure 8; col 7, lines 6-19; and col 10, lines 53-59].

11. As per claim 41, Spaid discloses score provides an indication of whether said Internet access activity is considered an objectionable activity [paragraph 0035].

12. As per claim 42, Spaid discloses wherein said score is one of a numeric score and a relative score [paragraphs 0026, 0029 and 0031].

13. Claims 7, 8, and 10-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Onoe et al. [US Patent No 5,951,642], in view of Spaid et. al. [US Patent No 2004/0139192], and further in view of McFarlane et al. [US Patent No 2002/011887].

14. As per claim 7, Onoe and Spaid do not specifically disclose wherein said report includes at least one portion and said at least one portion includes at least one link to at least one other portion. McFarlane discloses wherein said report includes at least one portion and said at least one portion includes at least one link to at least one other portion [i.e. the summary report includes links to more detailed summary information] [216, Figure 3; and paragraphs 0024 and

0032]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Onoe, Spaid and McFarlane because the teaching of McFarlane would enable to provide convenient and detailed reporting on the online activity of employees in a manner that corresponds to particular organizational structure of the company [McFarlane, paragraph 0001].

15. As per claim 8, it is rejected for similar reasons as stated above in claim 7. Furthermore, Onoe discloses wherein each of said at least one portions contains a list of recorded Internet access activity of one of said Internet protocols [i.e. WWW site, electronic mail, mailing list, netnews] [Figure 9; col 1, lines 18-21; and col 3, lines 1-14 and lines 57-67].

16. As per claim 10, Onoe discloses processing program configured to analyze said recorded Internet access [i.e. information processing agent statistically processes the collected information and statistically processed data is put into chart form and provided to the information provider] [208-210, Figure 2; and col 8, lines 1-65]. Onoe and Spaid do not specifically disclose wherein said remote server further includes a second database and transfer said recorded Internet access activity to said second database. McFarlane discloses wherein said remote server further includes a second database and transfer said recorded Internet access activity to said second database [i.e. importing firewall log files to a database] [Abstract; 200, Figure 2; and paragraph 0023]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Onoe, Spaid and McFarlane because the teaching of McFarlane would enable to provide convenient and detailed reporting on the online activity of

employees in a manner that corresponds to particular organizational structure of the company [McFarlane, paragraph 0001].

17. As per claim 11, McFarlane discloses wherein the second database is configured to generate a report of said Internet access activity [i.e. generate summary reports] [Figures 2 and 3; and paragraphs 0023 and 0024].

18. As per claim 12, it is rejected for similar reasons as stated above in claim 1. Furthermore, McFarlane discloses wherein said report includes a list of said recorded Internet access activity [Figure 7; and table 5].

19. As per claim 13, McFarlane discloses the report is accessible by a third party recipient [i.e. generate summary reports and show summary report to requester] [Figures 2 and 3; and paragraphs 0023 and 0024].

20. As per claim 14, it is rejected for similar reasons as stated above in claim 5.

21. As per claim 15, it is rejected for similar reasons as stated above in claim 6.

22. As per claim 16, it is rejected for similar reasons as stated above in claim 7.

23. As per claim 17, it is rejected for similar reasons as stated above in claim 8.

24. Claims 18, 20, 29, 30, 34, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Onoe et al. [US Patent No 5,951,642], in view of McFarlane et. al. [US Patent No 2002/0111887].

25. As per claim 18, it is rejected for similar reasons as stated above in claim 1. Furthermore, ONoe discloses recording said Internet access activity on a first database located within a remote server, processing said recorded Internet access activity [i.e. program collects the information of the information viewer and transmits the viewing information to the data base of the information collector's server 3] [203-205, Figure 2; Figure 8; col 7, lines 6-19; and col 10, lines 53-59]. Onoe does not specifically disclose transferring said recorded Internet access activity to a second database. McFarlane discloses transferring said recorded Internet access activity to a second database [i.e. importing firewall log files to a database] [Abstract; 200, Figure 2; and paragraph 0023]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Onoe, Spaid and McFarlane because the teaching of McFarlane would enable to provide convenient and detailed reporting on the online activity of employees in a manner that corresponds to particular organizational structure of the company [McFarlane, paragraph 0001].

26. As per claim 20, McFarlane discloses generating a report of said Internet access activity within said second database; and providing said report to a third party recipient selected by said

user [i.e. generate summary reports and show summary report to requester] [Figures 2 and 3; and paragraphs 0023 and 0024].

27. As per claim 29, it is rejected for similar reasons as stated above in claim 18.

Furthermore, McFarlane discloses report includes a plurality of portions each of said plurality of portions contains a list of said recorded Internet access activity of one of said Internet protocols, and wherein said portions further include a computer link to connect to another portion of said report [i.e. the summary report includes links to more detailed summary information] [216, Figure 3; and paragraphs 0024 and 0032]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Onoe and McFarlane because the teaching of McFarlane would enable to provide convenient and detailed reporting on the online activity of employees in a manner that corresponds to particular organizational structure of the company [McFarlane, paragraph 0001].

28. As per claim 30, Onoe discloses report is accessible by a third party recipient [i.e. information processing agent statistically processes the collected information and statistically processed data is put into chart form and provided to the information provider] [208-210, Figure 2; and col 8, lines 1-65].

29. As per claim 34, it is rejected for similar reasons as stated above in claim 29.

30. As per claim 35, it is rejected for similar reasons as stated above in claim 30.

31. Claims 21, 22, 36 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Onoe et al. [US Patent No 5,951,642], in view of McFarlane et. al. [US Patent No 2002/0111887], and further in view of Linden et. al. [US Patent No 6,912,505].

32. As per claim 21, Onoe and McFarlane do not specifically disclose wherein providing said report includes notifying said third party recipient to access said second database to view said report. Linden discloses wherein providing said report includes notifying said third party recipient to access said second database to view said report [Figures 6, 11 and 12; and col 4, lines 17-34]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Onoe, McFarlane and Linden because the teaching of Linden would provide a method for determining relatedness between products or other viewable items represented within a database, and for using item relatedness data to recommend items to users [Linden, col 1, lines 11-16].

33. As per claim 22, Linden discloses wherein providing said report includes electronically sending said report to said third party recipient at pre-selected time intervals [col 12, lines 60-col 13, lines 2].

34. As per claim 36, it is rejected for similar reasons as stated above in claim 21.

35. As per claim 37, it is rejected for similar reasons as stated above in claim 22.

36. Claims 23, 24-28, 31-33, and 38-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Onoe et al. [US Patent No 5,951,642], in view of McFarlane et. al. [US Patent No 2002/0111887], and further in view of Spaid et. al. [US Patent Application No 2004/0139192].

37. As per claim 23, Onoe and McFarlane do not specifically disclose assigning a score to said Internet access activity based on predetermined scoring criteria. Spaid discloses assigning a score to said Internet access activity based on predetermined scoring criteria [i.e. a composite score can be computed for the Web site viewing session] [Abstract; and paragraphs 0011, 0012 and 0029]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Onoe, McFarlane and Spaid because the teaching of scored and ranking web site would enable to provide a system which Web site visit quality can be established [Spaid, paragraph 0035].

38. As per claim 24, Onoe discloses preparing a report of said Internet access activity [Figures 4a, 4b, 10a, 10b; and col 7, lines 55-62]. Onoe and McFarlane do not specifically disclose report including said score. Spaid discloses report including said score [i.e. a composite score can be computed for the Web site viewing session] [Abstract; and paragraphs

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0011, 0012 and 0029]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Onoe, McFarlane and Spaid because the teaching of scored and ranking web site would enable to provide a system which Web site visit quality can be established [Spaid, paragraph 0035].

39. As per claim 25, Spaid discloses sorting said Internet access activity by said score [i.e. ranking] [Abstract; and paragraphs 0011 and 0012].

40. As per claim 26, Spaid discloses wherein said score includes a numeric score [paragraph 0029].

41. As per claim 27, Spaid discloses wherein said score includes a relative score [paragraphs 0026 and 0031].

42. As per claim 28, Onoe discloses sorting said Internet access activity chronologically [Figures 4a, 4b, 10a, 10b; and col 7, lines 55-62].

43. As per claim 31, it is rejected for similar reasons as stated above in claim 24.

44. As per claim 32, it is rejected for similar reasons as stated above in claim 25.

45. As per claim 33, it is rejected for similar reasons as stated above in claim 28.

46. As per claim 38, it is rejected for similar reasons as stated above in claim 23.
47. As per claim 39, it is rejected for similar reasons as stated above in claim 24.
48. As per claim 40, it is rejected for similar reasons as stated above in claim 28.
39. Applicant's arguments with respect to claims 1-18 and 20-42 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dustin Nguyen whose telephone number is (571) 272-3971. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached at (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Dustin Nguyen/
Primary Examiner, Art Unit 2454